

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

MADHU JAIN,

Plaintiff,

v.

A CAPE ANN WHALE WATCH, INC.,

Defendant.

CIVIL ACTION NO. 05-11267-MEL

DEFENDANT'S CERTIFICATIONS

The undersigned hereby certify pursuant to Local Rule 16.1(D)(3) that they have conferred:

- a) with a view to establishing a budget for the costs of conducting the full course — and various alternative courses — of the litigation; and
- b) to consider the resolution of the litigation through the use of alternative dispute resolution programs such as those outlined in Local Rule 16.4.

CERTIFICATE OF SERVICE: By my signature below, I hereby certify that on the date set forth below, I have electronically filed this document with the Clerk of Court using the CM/ECF system, which will send notification of such filings(s) to the attorneys designated below as ECF recipients, and I hereby certify that on the same date, I have mailed, via United States Postal Service, the document(s) to the non-registered participants reflected below as being provided copies by mail.

Dated: October 17, 2005

served upon:

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/s/ Robert Wheeler

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